

receiving input of a value corresponding to a first field of a first object that maintains plan data;

receiving additional input corresponding to a second field of a second object that maintains plan data;

receiving input that defines a hierarchical relationship between the first and second objects such that a value in the second field is at least partially based on the first field as a result of the hierarchical relationship;

b1  
developing a plan by running a simulation on objects that maintain the plan data including the first and second objects;

receiving input of a new value for the first field; and

developing a new plan by running a simulation on objects that maintain the plan data, including the first and second objects, in which in the new plan, the new value changes the information in the second field.

34. (Amended) The computer-readable medium of claim 16 wherein  
b2  
synchronizing plan elements with data from another program includes synchronizing only the plan elements that have been previously identified for synchronization.

36. (Amended) A computer-readable medium having computer-executable instructions, comprising, providing access to a limited number of objects to a user, each object having fields therein for maintaining plan information, receiving first user input information including a value associated with a first field of a first object, receiving second user input information associated with a second field of a second object, the second input

information specifying a relationship of the second field with the first field, disabling at least one object, and developing a plan including running a simulation that excludes each disabled object.

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### REMARKS

The Office Action has been carefully considered. In the Office Action, claims 1, 3, 4, 7, 8, 11-14, 16, 18-23, 26, 27, 29, 31, 32, 35, and 36 were rejected under 35 U.S.C. §102(e) as being anticipated by Bromley et al, U.S. Patent No. 5,819,263 (hereinafter "Bromley"). Claims 5, 6, 9, 15, 17, 24, 25, 28, 33, 34, and 37 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Bromley in view of Official Notice taken by the Examiner. Claim 36 was additionally rejected under 35 U.S.C. § 112, second paragraph, as being indefinite and under 35 U.S.C. § 101 for reciting a use without setting forth steps. Further, claims 21-23, 26, 27, 29, 31, and 32 were rejected by the same rationale used to reject claims 1, 3, 4, 7, 8, and 12-14, while claims 24, 25, 28, 33, and 37 were rejected by the same rationale used to reject claims 5, 6, 9, 17, and 34. By the present amendment, claims 1, 34, and 36 have been amended and the rejections traversed in view of the following remarks. Entry of the response and reconsideration of the claims under the provisions of 37 C.F.R. § 1.116 is earnestly solicited.

Applicants thank the Examiner for the telephone interview held on March 18, 2003. In the interview, applicants generally submitted that the prior art of record fails to disclose, suggest or provide any motivation for the claims, including certain limitations that are not taught or suggested in the prior art, let alone in the specific manner claimed, and further provide numerous and substantial benefits over the prior art's teachings. The essence of

applicants' position, including that set forth in the interview, is generally incorporated into the remarks below.

The present invention is generally directed towards a financial or other planning system and method in which hierarchically arranged objects are created and maintained to form a plan. The hierarchy enables objects to be dependent on other objects, while within the objects are fields that can be related to other fields, e.g., dates, dollar amounts, interest rates and so on. Significantly, the user of the system and method need not be concerned with the dependencies / relationships among objects and fields, but rather simply selects elements and enters data for those elements, and thereafter lets the objects of the system and method handle the dependencies. Thus, unlike programming a spreadsheet, via a user interface the user simply responds to questions, fills in information and/or makes selections related to the plan. The system then writes the proper information into the hierarchically arranged objects for the user, and manages the relationships for the user. A planning engine runs a simulation based on the data in the objects.

The combination of hierarchical objects relationships and relative field values allows a great deal of flexibility in creating what may be a very complex data system, which can then be used to calculate the results of the user's financial plan over time, as well as making it fairly straightforward for the user to make changes to and update a plan.

Moreover, via simple interaction with the user interface, a user can selectively disable objects and/or fields, which automatically disables those objects and fields that are dependent on the directly disabled ones. This facilitates the running of various "what-if" type simulations, to determine the expected consequences of various possible actions. In one implementation, the planner engine accomplishes this by not adding disabled objects to

a list of objects that is processed when the simulation is run, or if an object has some enabled and some disabled fields, by adding the object to the list but not taking into account disabled fields when processing the object. Note that disabled objects are not removed, whereby the user may simply re-enable selected packages, objects or fields that have been previously disabled, without having to recreate the object for another simulation. As a result, a user can easily run simulations with many permutations and combinations of planned actions, and determine the consequences of those actions.

Note that the above description is for informational purposes only, and should not be used to interpret the claims, which are discussed below.

In contrast to the present invention, Bromley is directed towards a management tool that groups various types of financial clients and prospective clients together, for an advisor to use in communicating advice and in marketing products to those clients and prospects. Significantly, Bromley fails to teach, suggest or provide any motivation for having hierarchically arranged objects to represent a plan, receiving input that defines hierarchical relationships between objects, running a simulation on those objects, and/or having changes to an object's state data affect other objects hierarchically below that changed object. Further, Bromley fails to teach, suggest or provide any motivation for selectively disabling objects (or the fields therein) for the purpose of running a simulated plan.

Rejection of Claim 36 under 35 U.S.C. § 112 and 35 U.S.C. § 101

Applicants disagree that claim 36 as filed is indefinite under 35 U.S.C. § 112; this claim is presented in a well-accepted format. Applicants further disagree that claim 36 is not a proper process claim under 35 U.S.C. § 101. Nevertheless, for further clarification,

claim 36 has been amended. Applicants respectfully submit that claim 36 as amended meets the requirements of 35 U.S.C. § 112 and 35 U.S.C. § 101.

Rejection of Claims 1, 3, 4, 7, 8, 11-14, 16, 18-23, 26, 27, 29, 31, 32, 35, and 36 under 35 U.S.C. § 102(e)

Claim 1 generally recites receiving input for fields in a first and second object and receiving input that defines a hierarchical relationship between the first and second objects. Among other things, the hierarchical relationship allows a value in the second field to be at least partially based on the first field. Claim 1 further recites developing a plan by running a simulation and developing a new plan by running another simulation with a new value in the first field, in which the new value changes the information in the second field.

The Office Action cited column 20, lines 15-26 to allege that Bromley discloses “a first and a second object having a defined hierarchical relationship.” However, a mere calculation of one value using another, without more, does not disclose or suggest that each of the values are in *separate objects*. Moreover, given the plain meaning of a hierarchy, the cited text of Bromley fails to disclose or suggest anything about any hierarchical relationship between Bromley’s two values. Simply because one value relates to another via a calculation does not teach or in any way suggest that a *hierarchical* relationship exists between those two values. In fact, column 20, lines 15-26 of Bromley, which merely teach that one value (a retirement date) may be calculated from another value (a birth date), suggest absolutely nothing about a hierarchical relationship, given the plain meaning of a hierarchy, (let alone any hierarchical relationship between two objects) as taught by claim 1. Furthermore, Bromley fails to disclose or suggest that input is received that defines a

hierarchical relationship between the two dates. If anything, the calculation suggested by Bromley is a simple hard-coded formula.

Clearly, not every relationship is a hierarchy, and indeed, Bromley's values are unquestionably not hierarchical relationships, despite the Office action's wholly unsupported allegation that calculating a retirement date on a birth date is somehow hierarchical. See Office Action, p. 2. Thus, the only interpretation the Office action can be making is to treat the recited term "hierarchical" as meaningless, despite its otherwise accepted meaning, which is clearly an unreasonable interpretation. See, e.g., FIG. 7 of applicants' specification for an example of a hierarchical relationship between objects consistent with its ordinary meaning.

In addition, even if the second date was a second field in a second object, additional *input* is not received corresponding to the second date; the second date of Bromley is simply calculated. Thus, the recited step of "receiving additional input corresponding to a second field of a second object" is not disclosed or suggested by its mere calculation. Moreover, Bromley teaches away from "receiving additional input corresponding to a second field," as there would be no need to receive additional input regarding a retirement date that is automatically calculated from a birth date.

Applicants further submit that "developing a plan by running a simulation on objects" as taught by claim 1 is not disclosed or suggested by Bromley. Bromley does not even mention the word simulate or scenario, nor anything remotely resembling such a concept. The only "planning" done in Bromley appears to relate to manual activities performed by a financial planner, not to "running a simulation" as taught in claim 1. No reading of Bromley would suggest that plans are developed by running a simulation.

In order to support an anticipation rejection, the Office Action must show that each and every element of the claimed invention is disclosed in a single reference, and that each element is arranged as in the claim. Bromley, which fails to teach or suggest objects for maintaining plan data, a hierarchical arrangement of those objects, receiving additional input at a field of an object, and/or running simulations on such objects, unquestionably fails to meet these requirements. For at least this reason, applicants submit that claim 1, and also claim 21 which recites “a hierarchical relationship between … first and second objects,” are clearly patentable over Bromley. Reconsideration and withdrawal of the rejections of claims 1 and 21 based on Bromley is respectfully requested.

Moreover, the Office Action contended that FIGURES 14 and 15 of Bromley somehow disclose enabling and disabling objects. However, this is an unreasonable interpretation of Bromley’s teachings. There is simply no teaching or suggestion that the data shown in FIGURES 14 and 15 of Bromley are objects, let alone hierarchically arranged objects, nor is there any teaching or suggestion that plan objects can be selectively disabled and/or re-enabled for purposes of running a simulation. Instead, in FIGURES 14 and 15 and their accompanying text, Bromley at best appears to be teaching that database data can be filtered from a view, which is an entirely different concept from that claimed, e.g., directed towards enabling and disabling objects.

The Office Action rejected claims 21-23, 26, 27, 29, 31, and 32 under the same rationale as claims 1, 3, 4, 7, 8, and 2-14 for containing “similar limitations.” Office Action, p. 6. Applicants disagree that claims 21-23, 26, 27, 29, 31, and 32 contain similar limitations as claims 1, 3, 4, 7, 8, and 2-14 and respectfully submit that each claim should be interpreted based on its own claim language and limitations.

For at least the foregoing reasons, applicants submit that the claims reciting disabling and/or enabling objects (including claims 12-14, 18-29, 31-33 and 35-37) are clearly patentable over Bromley. Reconsideration and withdrawal of the rejections of these claims are respectfully requested.

Rejection of Claims 5, 6, 9, 15, 17, 24, 25, 28, 33, 34, and 37 under 35 U.S.C. § 103(a)

Turning to the § 103(a) rejections of claims 5, 6, 9, 15, 17, 24, 25, 28, 33, 34, and 37 based on Bromley and Official Notice taken by the Examiner, applicants again challenge the Office Action's use of the Official Notice. The Official Notice statement, even if provable, does not reach the claimed subject matter if somehow permissibly combined with Bromley. Applicants also challenge the Official Notice of any claims "rejected by the same rationale" as these claims and disagree that the claims have "similar limitations" as contended in the Office Action. In the Office Action, claims 24, 25, 28, 33, and 37 were rejected on the same rationale used to reject claims 5, 6, 9, 17, and 34. Applicants submit that each claim should be examined and addressed based on its own claim language and limitations.

Applicants further note that the Office Action has not responded to applicants' previous challenge of the Official Notice taken by the Examiner, in the manner specified at MPEP § 2144.03. For example, claims 5 and 6 were rejected, despite the Office Action having explicitly conceded that Bromley does not teach an amount in one field with a date in another field conditional on the amount. The Office Action's contention that this is well known and therefore "could be" programmed, however, fails to consider that having this information in related fields of hierarchically arranged objects *eliminates the need for a*

*user to program such formulas.* In fact, one aspect of the present invention is specifically directed towards eliminating the need for such customized software programming or complex formula management as suggested by the Office Action. The Office Action provides no reference (or references) in support of the Official Notice statement. Neither does the Office Action show how the fields can be arranged in the manner recited in claims 5 and 6, nor provide any showing as to why the reference would motivate one skilled in the art to combine it with or modify Bromley to achieve the claimed subject matter. See MPEP § 2144.03.

As the Office Action did not respond to applicants' challenge of the Official Notice in the manner specified in the MPEP, applicants again specifically challenge the Official Notice set forth in support of the rejections of claims 5, 6, 9, 15, 17, 24, 25, 28, 33, 34, and 37, and again request that a reference (or references) be provided in support of the Official Notice statement, along with a fair showing how the recited subject matter is rendered obvious thereby, and a fair showing of why the reference would motivate one skilled in the art to combine it with or modify Bromley to achieve the claimed subject matter.

Because the claimed subject matter has been quite clearly presented for examination prior to the present amendment, applicants submit that the present amendment does not raise any new issues that would require further search. Applicants also respectfully submit that if another search is deemed necessary to supplement any inadequacies in prior searches resulting from an apparent misunderstanding or overlooking of clearly defined subject matter, or to comply with the MPEP requirements of providing a reference or reference in support of the challenged Official Notice, applicants should not bear the burden of another

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examination fee. Thus, if a further search is deemed necessary, applicants respectfully request that the finality of this Office action be withdrawn.